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# Claim No. 39.

Under Article 14. Treaty of 14<sup>th</sup> June 1866,  
with Creek Indians.

The undersigned, John D. Bemis<sup>(50)</sup>, an  
Indian, and a Citizen of the Creek Nation - by profes-  
sion a Minister of the Gospel: fully understanding &  
fluently speaking the English Language: a loyal refugee,  
during the War of the rebellion, being duly examined &  
sworn, deposes and says: That whilst he was residing  
at his home, at the mouth of Little River, Creek Nation,  
about 100 miles from the Agency, and sometime in the month  
of February 1864, the Country around about his home  
was invaded by the Rebels under Col. M. C. Intosh, and  
he was completely surrounded and cut off from escape:  
That upon the appearance of Col. Phillips with Union  
troops he effected his escape, and reached Fort Gibson  
where he remained until the close of the war. And  
this deponent further says: That at the time he so fled  
and escaped from his home, as aforesaid, he owned and  
possessed, and did necessarily abandon and lose, all  
the property hereinafter enumerated; and that he has  
not since that time recovered the said property, nor  
has he recovered any part thereof: to say:

Eleven (11) large Breed swares, Indian, at \$100 each	\$ 1100.00
One hundred (100) Hick Hogs " \$7. "	700.00
Twenty five hundred (2500) lbs Bacon " 20 <sup>cts</sup> lb.	500.00
Amount carried forward.	\$ 2300.00



Amount brought forward	\$	2,300.00
Three (3) Saddle Horses, American, @ \$100. each		300.00
Four (4) Team Horses, do @ \$70. "		280.00
Five (5) Indian Horses, @ \$40 "		200.00
Forty (40) Milk Cows @ \$10 "		400.00
Thirty (30) Head of Stock Cattle, @ \$8 "		240.00
One (1) American Jack @		250.00
Five (5) A. J. Jennies @ \$50 "		250.00
Three (3) Yoke of Oxen @ \$35 "		105.00
One (1) Ox. Wagon @		100.00
One (1) twohorse Wagon @		100.00
One (1) Set twohorse Harness @		25.00
Eight (8) Sacks Flour @ \$6. each		48.00
One Library, about 200 Volumes, @		250.00
House furniture, Cooking utensils, &c @		150.00
Tanning Implements @		27.00
Poultry, @		20.00

Making a total value of \$ 5,045.00.  
 Five thousand and forty five dollars. And further  
 this deponent saith not.

John. D. Berne

Subscribed and sworn to before me at the Creek  
 Agency, C. N. this 8<sup>th</sup> day of November, A. D. 1869.

*[Signature]*  
 W. H. Chas. Asst. Supt. Ind. Affairs Supt. Cal.

The undersigned, Harry Island, and  
 Joe Primus Freedmen & natives of the Creek Nation,



and legal refugees, being jointly, duly examined and sworn - (they understanding and conversing in the English language.) that they are not interested in the claim of John D. Bemis, in any personal or pecuniary manner whatever; that they have heard the foregoing affidavit read to them, and know its contents, and that the same is correct and true; that to their own knowledge the said John D. Bemis, did, at the time stated in his deposition, own and possess, and did necessarily abandon and lose all the property therein set forth, and in the manner mentioned by him. And further these deponents do not say,

Harry Island,

Joe Priners,

his  
X  
his mark  
X  
mark

Subscribed & Sworn to before me at the Creek Agency this 8<sup>th</sup> day of November, A.D. 1869.

*[Signature]*  
Wm. O. H. Supt Ind Affs Supt Suptal.

### Awards.

The loss of property specified above is deemed established by the foregoing testimony. Also, the status of claimant. The amount claimed, however, is, in some instances, considered excessive. Upon inquiry it is found. The values of the different kinds of property, at the time the loss occurred, ruled as follows:

Wares - Indian broods -	\$33.33 Each.
Hogs - Stock -	2.00 "



Bacon - per pound -	10 -
Horses - American Saddle	40.00 Each.
Horses - (Team)	25.00 ..
Horses - Indian -	15.00 ..
Cows - Milk -	8.00 ..
Cattle - Stock -	5.00 ..
Jacks - American -	125.00 ..
Jennies - American -	25.00 ..
Oxen - Yokes of -	30.00 ..

and for the following - one-half the claimed value:-

One Wagon -	\$50.00 .
Two-horse Wagon -	50.00 .
Two-horse Harness -	12.50 .
Sacks Flour -	24.00 .
House Furniture, Cooking Utensils &c. -	75.00 .
Farming Implements -	13.60 .
Poultry -	10.00 .
Library - (200 Volumes) - full value -	250.00

In consideration of these, and all other facts, attainable, bearing upon the case, we believe it just and equitable to award this claimant John D. Benson - Twenty two hundred and six dollars - sixty six cents.

\$2206  $\frac{66}{100}$ .

*J. P. Hagen*

Br. Maj. Genl. U.S.A. Sup. Ind. Aff. to Supr.

*F. A. Field*  
Capt. U.S.A. - Creek Agent.